

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

---

In re: ) Chapter 7  
DENNIS M. WEINER, ) Case No. 18-18460-ELF  
Debtor. )  
)

---

**STATUS REPORT OF THE CHAPTER 7 TRUSTEE**

Gary F. Seitz, Chapter 7 Trustee provides the following status report regarding (1) the developments, if any, in case administration since the last docket activity; (2) the action(s) that the Trustee intends to take to complete administration of this case; and (3) the expected dates by which the Trustee expects to take such actions regarding administration of the assets of the Bankruptcy Estate:

- (1) Developments: Since the last report, special litigation counsel reports that the August 2021 decision of the 8<sup>th</sup> Circuit Court of Appeals reinstated around 6,000 MDL cases along with the case of this debtor. The cases had been dismissed in 2019. In addition, since the decision reinstating the case, other plaintiffs have filed cases that seek to be included in this MDL case. Due to the huge volume of reinstated cases and potential new additions, discovery has been slow to ramp up. In addition, on February 7, 2022, 3M filed a writ of certiorari petition with the Supreme Court. The petition sought to have the court evaluate whether the Court of Appeals' August 2021 ruling was too lenient in allowing plaintiffs' expert witness testimony. Respondents filed a brief in opposition on April 11, 2022. The MDL case is actively defended by 3M.

- (2) Actions: The Trustee continues to monitor the MDL case with special counsel. In February 2022, the District Court appointed a retired magistrate judge to mediate the MDL lawsuits. The involved parties continue to schedule and attend mediation sessions. Special counsel has expressed interest in mediation. No settlement has been offered. 3M has reportedly not set aside any funds to resolve this litigation. Special counsel feels optimistic about a recovery but believes that it will take significant additional litigation to obtain it.
- (3) Dates: Given the stalled nature of the MDL case and its related complexities, it is difficult to estimate when the case might be resolved so that the trustee can provide his final report to the office of the United States Trustee.

Dated: April 19, 2022

CHAPTER 7 TRUSTEE

/s/ Gary F. Seitz

---

Gary F. Seitz (PA ID #52865)  
Gellert Scali Busenkell & Brown, LLC  
1628 JFK BLVD, STE 1901  
Philadelphia, PA 19103  
Telephone: (215) 238-0011  
E-mail: gseitz@gsbblaw.com